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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Kathleen Clarke
Executive Director

Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

September 1, 2000

Chuck Semborski
Energy West Mining Company
P.O. Box 310
Huntington, Utah 84528

Re: Five-Year Permit Renewal, PacifiCorp, Des-Bee-Dove Mine, ACT/015/017-00PR,
Outgoing File

Chuck
Dear Mr. Semborski:

The permit renewal for the Des-Bee-Dove Mine is approved. Enclosed are two (2) copies of the renewed permanent program permit for the Des-Bee-Dove Mine. Please read the permit to be sure you understand the requirements of the permit, then have both copies signed by the appropriate PacifiCorp representative and return one to the Division.

If you have any questions, please call me.

Sincerely,

Lowell P. Braxton
Director

tm

Enclosures

cc: James Fulton, OSM, WRCC
Price Field Office

P:\GROUPS\COAL\WP\015017.DBD\FINAL\PERMIT\00renewltr.wpd

UTAH DIVISION OF OIL, GAS AND MINING
STATE DECISION DOCUMENT
For
PERMIT RENEWAL

PacifiCorp
Des-Bee-Dove Mine
ACT/015/017
Emery County, Utah

August 30, 2000

Contents

- * Administrative Overview
- * Permitting Chronology
- * Permit Renewal Findings
- * Permit
- * Publication Notice
- * AVS Recommendation, memo dated August 31, 2000

ADMINISTRATIVE OVERVIEW

Des-Bee-Dove Mine
PacifiCorp
ACT/015/017
August 30, 2000

Background

The Des-Bee-Dove Mine Complex is one of four mines permitted by PacifiCorp located on East Mountain about seven miles north of Orangeville, Utah. The four mines permitted by PacifiCorp are: the Des-Bee-Dove Mine, Cottonwood/Wilberg, Deer Creek and Trail Mountain Mine.

The Des-Bee-Dove Mine Complex closed in December 1983, due to a fire in the Beehive Mine and for economic reasons. The mine complex was reopened on January 14, 1985 to provide coal to the Hunter Power Plant to partially replace production lost due to the closure of the Wilberg Mine as a result of a fire which started in the mine on December 19, 1984. The Des-Bee-Dove Mine temporarily ceased operations on February 6, 1984; official notice of temporary cessation received February 6, 1987. No mining activity has occurred since that date. A memo to the Coal Regulatory staff dated October 11, 1988 from Lowell P. Braxton, Associate Director, Mining entitled "Guidelines for Duration of Temporary Cessation of Operations", outlined that temporary cessation may extend to 15 years. The mine notified the Division of intent to reclaim the mine on February 28, 1997. Demolition activities began in September 1999. This phase of the reclamation was completed in June 2000. All surface facilities, concrete footers and asphalt pads have been excavated, and portals backfilled. Remote portals were reclaimed in Summer 2000.

The Des-Bee-Dove/Wilberg Junction Haul Road was constructed in 1983, in response to public concern for safety because the previous route went through the residential street of Orangeville, Utah. Utah Power and Light Company represented the road as a public road and failed to obtain a permit from the regulatory authority to construct the Junction Haul Road. UDOGM issued a notice of violation to Utah Power and Light Company on July 18, 1984, that required the Junction Haul Road be included in the PAP for a permanent program permit. On July 31, 1984, UDOGM issued a cessation order preventing the Utah Power and Light Company from using the road. The cessation order was terminated on October 1, 1984. The Utah Board of Oil, Gas and Mining reopened the Haul Road under an emergency order pursuant to the approved Utah Coal Program, to allow Utah Power and Light Company to resume production and delivery of coal to the Hunter Power Plant without routing trucks through the town of Orangeville. Phase III bond release was approved for the Des-Bee-Dove haul road on September 9, 1998. The bond release represented 93.18 acres removed

from the Des-Bee-Dove Mine permit area due to the achievement of the alternative postmining land use of that road (i.e. from wildlife and grazing to wildlife, grazing, recreation, and industrial.)

On November 29, 1999, Scottish Power, a foreign Corporation, completed the merger with PacifiCorp (Successor in Interest to UP&L Co.), an Oregon Corporation. At that time, all shares of PacifiCorp stock, were converted into shares of Scottish Power stock. PacifiCorp is a wholly-owned subsidiary of Scottish Power.

The entire permit area, including the Junction, Road, was permitted by OSM in April 1985. The State issued the permanent program permit on September 20, 1985 and was renewed in 1990 and 1995.

Permit Renewal

PacifiCorp made application to the Division of Oil Gas and Mining for a five year permit renewal for the Des Bee Dove Mine on May 15, 2000. This renewal encompasses the same permit area and disturbance as currently approved in the permit.

The renewal application was determined administratively complete June 22, 2000. Public notice for this permit renewal was published in the Emery County Progress on June 27, July 4, 11, and 18, 2000.

Analysis

Requisite information for the permit renewal application was made and all notices were published as required. No public comments were received. A condition is being added to the permit. This permit is effective on August 30, 2000.

The bond amount was found adequate in 1998 and does not need adjustment at this time.

Recommendation

Approval for this permit renewal is recommended.

PERMITTING CHRONOLOGY

PacifiCorp
Des-Bee Dove Mine
Permit Renewal
ACT/015/017
Emery County, Utah


August 30, 2000

May 15, 2000	PacifiCorp submits permit renewal application.
June 20, 2000	Division issues Determination of Completeness.
June 22, 2000	Permit renewal completeness determination sent to applicable state, federal, and county agencies with a note that comments must be received by August 20, 2000.
June 27, July 4, 11, 18, 2000	Public notice for permit renewal for the Des Bee Dove Mine published in the <u>Emery County Progress</u> .
August 18, 2000	End of public comment period. No comments were received.
August 21, 2000	Letter from State Office of Planning and Budget stating no comments.
August 30, 2000	Permit is renewed.


PERMIT RENEWAL FINDINGS

Des-Bee Dove Mine
PacifiCorp
ACT/015/017
August 30, 2000

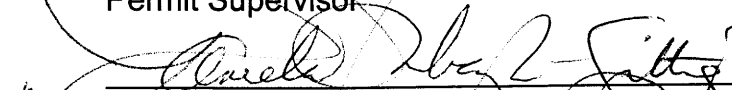
1. The permit renewal term will not exceed the original permit term of five years (R645-303-234).
2. The terms and conditions of the existing permit are being met. (R645-303-233.110).
3. The present coal mining and reclamation operations are in compliance with the environmental protection standards of the Act and the Utah State Program (R645-303-233.120).
4. The requested renewal will not substantially jeopardize the operator's continuing ability to comply with the Act and the Utah State Program (R645-303-233.130).
5. The operator has provided evidence of maintaining liability insurance in full effect (Associated Electric and Gas Insurance Services Limited , Policy U0614A1A00)(R645-303-233.140).
6. The operator has a reclamation surety on file with the Division and has provided evidence that the surety will remain in full effect. (St. Paul Fire and Marine Insurance Company - 400 JN 6139 in the amount of \$1,837,712) (R645-303-233.150).
7. To date, the operator has submitted updated information as required by the Division through this permit term. (R645-233.160).



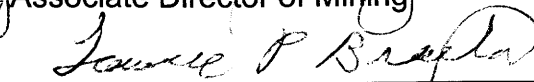
Permit Supervisor



Permit Supervisor



Acting Associate Director of Mining



Director

FEDERAL

August 30, 2000

PERMIT
Permit Number ACT/015/017

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
1594 West North Temple
Salt Lake City, Utah 84114-1203
(801) 538-5340

This permit, **ACT/015/017**, is being renewed for the state of Utah by the Utah Division of Oil, Gas and Mining (Division) to:

PacifiCorp
One Utah Center
Suite 2000
201 South Main
Salt Lake City, Utah 84140-0020

for the Des-Bee-Dove Mine. A Surety Bond is filed with the Division in the amount of \$1,837,712, payable to the State of Utah, Division of Oil, Gas and Mining and the Office of Surface Mining Reclamation and Enforcement (OSM). The Division must receive a copy of this permit signed and dated by the permittee.

Sec. 1 STATUTES AND REGULATIONS - This permit is issued pursuant to the Utah Coal Mining and Reclamation Act of 1979, Utah Code Annotated (UCA) 40-10-1 et seq, hereafter referred to as the Act.

Sec. 2 PERMIT AREA - The permittee is authorized to conduct reclamation activities on the described property, subject to all applicable conditions, laws and regulations. The permit area is shown on the Des-Bee-Dove Mine Permit Boundary, Figure 1, map (attached). The approximate description is:

Township 17 South, Range 7 East, SLM

Section 11: E1/2, E1/2 W1/2
Section 12: W1/2 NW1/4, NW1/4 SW1/4
Section 13: SE1/4 SW1/4
Section 14: W1/2, W1/2 E1/2, NE1/4 NE1/4, SE1/4 SE1/4
Section 23: All
Section 24: W1/2, W1/2 SE1/4
Section 25: W1/2SW1/4
Section 26: N1/2, N1/2 SE1/4, NE1/4 SW1/4
Section 35: Portions of the E1/2 E1/2
Section 36: Portions of the N1/2 NW1/4

- Sec. 3 COMPLIANCE** - The permittee will comply with the terms and conditions of the permit, all applicable performance standards and requirements of the State Program.
- Sec. 4 PERMIT TERM** - This permit becomes effective on August 30, 2000 and expires on August 30, 2005.
- Sec. 5 ASSIGNMENT OF PERMIT RIGHTS** - The permit rights may not be transferred, assigned or sold without the approval of the Director, Division. Transfer, assignment or sale of permit rights must be done in accordance with applicable regulations, including but not limited to 30 CFR 740.13{e} and R614-303-300.
- Sec. 6 RIGHT OF ENTRY** - The permittee shall allow the authorized representative of the Division, including but not limited to inspectors, and representatives of the Office of Surface Mining Reclamation and Enforcement (OSM), without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay to:
- (a) have the rights of entry provided for in 30 CFR 840.12, R614-400-220, 30 CFR 842.13 and R614-400-110;
 - (b) be accompanied by private persons for the purpose of conducting an inspection in accordance with R614-400-100 and R614-400-200 when the inspection is in response to an alleged violation reported to the Division by the private person.
- Sec. 7 SCOPE OF OPERATIONS** - The permittee shall conduct reclamation activities only on those lands specifically designated as within the permit area on the maps submitted in the mining and reclamation plan and permit application and approved for the term of the permit and which are subject to the performance bond.
- Sec. 8 ENVIRONMENTAL IMPACTS** - The permittee shall take all possible steps to minimize any adverse impact to the environment or public health and safety resulting from noncompliance with any term or condition of the permit, including, but not limited to:
- (a) Any accelerated or additional monitoring necessary to determine the nature and extent of noncompliance and the results of the noncompliance;
 - (b) immediate implementation of measures necessary to comply; and

- (c) warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.

Sec. 9 DISPOSAL OF POLLUTANTS - The permittee shall dispose of solids, sludge, filter backwash or pollutants in the course of treatment or control of waters or emissions to the air in the manner required by the approved Utah State Program and the Federal Lands Program which prevents violation of any applicable state or federal law.

Sec. 10 CONDUCT OF OPERATIONS - The permittee shall conduct its operations:

- (a) in accordance with the terms of the permit to prevent significant, imminent environmental harm to the health and safety of the public; and
- (b) utilizing methods specified as conditions of the permit by the Division in approving alternative methods of compliance with the performance standards of the Act, the approved Utah State Program and the Federal Lands Program.

Sec. 11 EXISTING STRUCTURES - As applicable, the permittee will comply with R614-301 and R614-302 for compliance, modification, or abandonment of existing structures.

Sec. 12 AUTHORIZED AGENT - The permittee shall provide the names, addresses and telephone numbers of persons responsible for operations under the permit to whom notices and orders are to be delivered.

Sec. 13 COMPLIANCE WITH OTHER LAWS - The permittee shall comply with the provisions of the Water Pollution Control Act (33 USC 1151 et seq,) and the Clean Air Act (42 USC 7401 et seq), UCA 26-11-1 et seq, and UCA 26-13-1 et seq.

Sec. 14 PERMIT RENEWAL - Upon expiration, this permit may be renewed for areas within the boundaries of the existing permit in accordance with the Act, the approved Utah State Program and the Federal Lands Program.

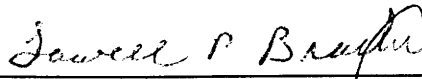
Sec. 15 CULTURAL RESOURCES - If during the course of mining operations, previously unidentified cultural resources are discovered, the permittee shall ensure that the site(s) is not disturbed and shall notify the Division. The Division, after coordination with OSM, shall inform the permittee of necessary actions required. The permittee shall implement the mitigation measures required by Division within the time frame specified by Division.

Sec. 16 APPEALS - The permittee shall have the right to appeal as provided for under R614-300-200.

Sec. 17 SPECIAL CONDITIONS - There are special conditions associated with this permitting action as described in Attachment A.

The above conditions (Secs. 1-17) are also imposed upon the permittee's agents and employees. The failure or refusal of any of these persons to comply with these conditions shall be deemed a failure of the permittee to comply with the terms of this permit and the lease. The permittee shall require his agents, contractors and subcontractors involved in activities concerning this permit to include these conditions in the contracts between and among them. These conditions may be revised or amended, in writing, by the mutual consent of the Division and the permittee at any time to adjust to changed conditions or to correct an oversight. DOGM may amend these conditions at any time without the consent of the permittee in order to make them consistent with any federal or state statutes and any new regulations.

THE STATE OF UTAH



Lowell P. Braxton, Director
Division of Oil, Gas and Mining

Date: 9/1/00

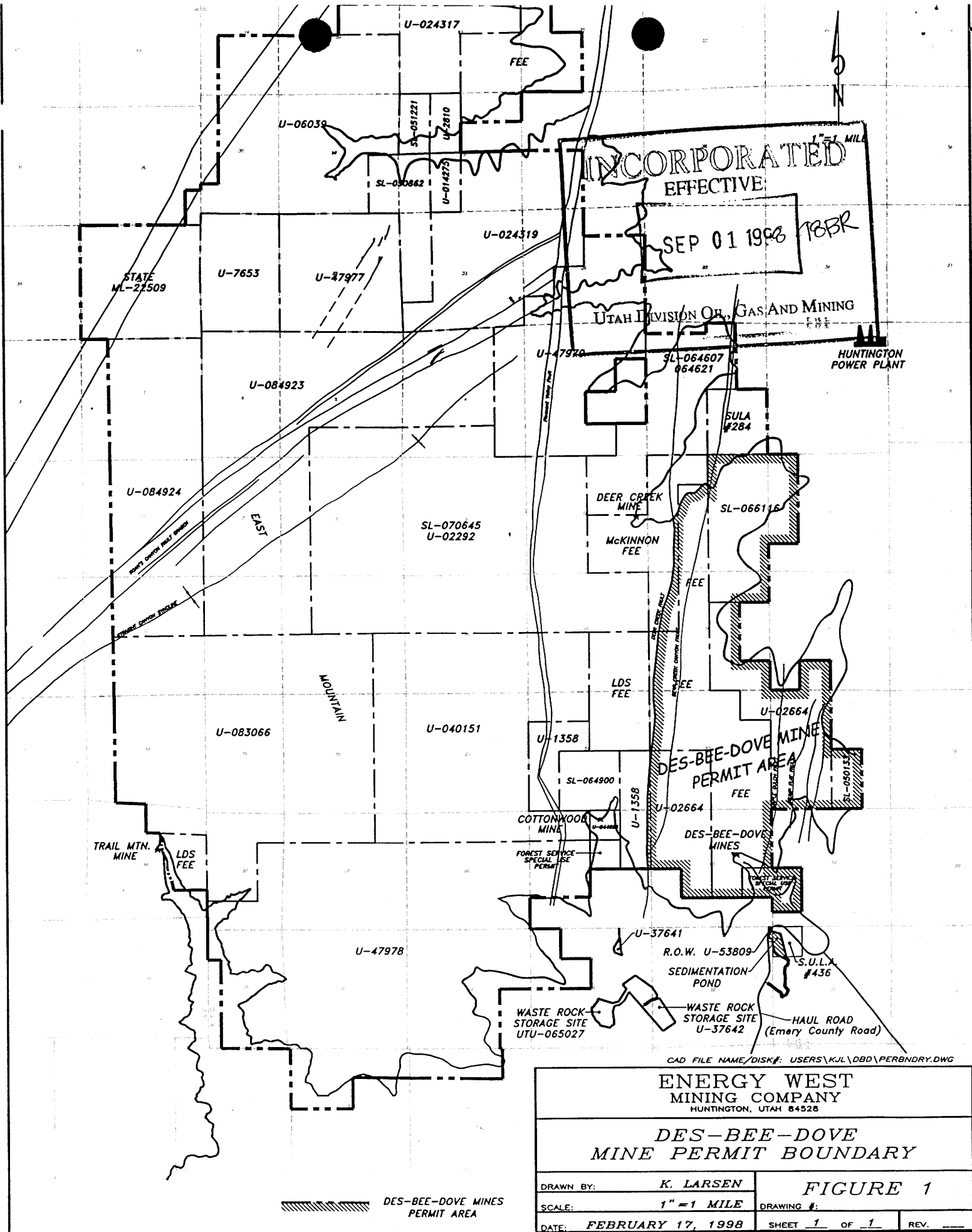
I certify that I have read, understand and accept the requirements of this permit and any special conditions attached.

Authorized Representative of the Permittee

Date: _____

ATTACHMENT A
SPECIAL CONDITION

1. PacifiCorp will submit water quality data in an electronic format, approved by the Division for the Des Bee Dove Mine beginning with data for the fourth quarter of 2000.



CAD FILE NAME/DISK#: USERS\KJL\DBD\PERBNDRY.DWG

ENERGY WEST MINING COMPANY HUNTINGTON, UTAH 84528		
DES-BEE-DOVE MINE PERMIT BOUNDARY		
DRAWN BY: K. LARSEN	FIGURE 1	
SCALE: 1" = 1 MILE	DRAWING #:	
DATE: FEBRUARY 17, 1998	SHEET 1 OF 1	REV.

-s- Bruce C. Funk
Clerk

Progress July 18, 2000

TRUSTEE'S SALE

sold at public auction to the highest bidder, the South Main Entrance, Emery County at 12:00 PM, for the purpose of foreclosing a n L. Campbell in favor of One Stop Mortgage, junty:

of the center of NW 1/4 of Section 32, J&M.; thence East 407 feet; thence nce South 80 feet to beginning. hereafter erected on the property, and ures now or hereafter a part of the

to be 715 South Main Street, Orangeville, UT error in the address. The present owner is

30.00 deposit at the sale and the balance of the re sale. The purchase price must be paid to fer, cashier's check or certified funds. Cash

-s- Scott Lundberg, Trustee
(801) 263-3400 X250
L&A Case No. 10399
Loan No. 9200444
Team D

IS AN ATTEMPT TO COLLECT A DEBT,
E USED FOR THAT PURPOSE.
gress July 4, 11, and 18, 2000.

F TRUSTEE'S SALE

be sold at public auction to the highest bidder, at the South Main Entrance, Emery County 00, at 12:00 p.m., for the purpose of foreclos- d by Shane E. Cox and Mindie M. Cox in favor wing real property in Emery County: f Lot 4, Block 9, Castle Dale Townsite nce South 6.5 Rods; thence East 13 point of beginning. Situated in SW1/ JLB&M.

now or hereafter erected on the prop- erties, rents, royalties, minerals, rights and stock and all fixtures now or

rted to be 160 South 100 East, Castle Dale, Ut any error in the address. The present owners . Cox.

\$5,000.00 deposit at the sale and the balance llowing the sale. The purchase price must be ire transfer, cashier's check or certified funds.

-s- Scott Lundberg, Trustee
(801) 263-3400 X250
L&A Case No. 4928
Loan No. 3182289
Team A

IN IS AN ATTEMPT TO COLLECT A DEBT,
E USED FOR THAT PURPOSE.
Progress July 4, 11, and 18, 2000.

No. 21 feet; thence West 12.00 feet to the point of beginning.
Dated this 7 day of July, 2000.

-s- David B. Boyce
Successor Trustee
BACKMAN, CLARK & MARSH
800 McIntyre Building
68 South Main Street
Salt Lake City, UT 84101
Telephone: 538-8300
FILE NO. 10000682

Published in the Emery County Progress July 18, 25 and August 1, 2000.

NOTICE OF TRUSTEE'S SALE

The following described property will be sold at public auction to the highest bidder, payable in lawful money of the United States at the time of sale on the front entrance of the Emery County Courthouse, Castle Dale, Utah, on August 9, 2000, at the hour of 11:30 a.m. of said day; for the purpose of foreclosing a Trust Deed dated June 18, 1999 executed by Douglas B. Wright, as Trustor, covering real property located at 35 South Main, Clawson, Emery County, Utah and more particularly described as follows:

BEGINNING 418.5 FEET WEST AND 3 RODS SOUTH OF THE NORTH- EAST CORNER OF SECTION 35, TOWNSHIP 19 SOUTH, RANGE 7 EAST, SLB&M AND RUNNING THENCE SOUTH 214.5 FEET; THENCE WEST 324 FEET; THENCE NORTH 114.5 FEET; THENCE EAST 165.5 FEET; THENCE NORTH 100 FEET; THEN EAST 158.5 FEET MORE OR LESS, TO BEGINNING.

Dated this 10 day of July, 2000.

-s- David B. Boyce
Successor Trustee
BACKMAN, CLARK & MARSH
800 McIntyre Building
68 South Main Street
Salt Lake City, UT 84101
Telephone: 531-8300
FILE NO. 100000681

Published in the Emery County Progress July 18, 25 and August 1, 2000.

PACIFICORP
DES-BEE-DOVE MINE

ACT/015/017

PERMIT RENEWAL APPLICATION
ENERGY WEST MINING COMPANY

P.O. BOX 310

HUNTINGTON, UTAH 84528

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits an application for a permit renewal of the Des-Bee-Dove Mine for the purposes of conducting mining and reclamation activities. The mine is currently in final reclamation. The permit area encompasses approximately 2,760 acres as located on the area map below.

A surety bond is filed with the Division of Oil, Gas and Mining in the amount of \$1,837,712.00, and is payable to the State of Utah, Division of Oil, Gas and Mining (DOGM), and the Office of Surface Mining Reclamation and Enforcement (OSM).

A copy of the permit renewal application may be examined at the office of the Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801 and also at the Records Office located in the Emery County Courthouse in Castle Dale, Utah. Written comments, objections, or requests for an informal conference may be submitted to the Salt Lake City address. Said comments must be submitted thirty (30) days from the date of the last publication of this notice. This notice is being published to comply with the Surface Mining Control and Reclamation Act of 1977, and State and Federal regulations promulgated pursuant to said Act.

Published in the Emery County Progress on June 27, July 4, 11, and 18, 2000.

River Utah, and more specifically descri-
Emery County, State of Utah
Township 20 South, Range
Section 8: Lots 9 and 12;
Section 9: N1/2 NE1/4; N1/4
Lot 5; SE 1/4 NE1/4; North 4
4; S1/2 SW1/4 NE1/4.
Section 10: Lots 3 and 4; N
Including therewith, the folk
Water Right Number:
A: 91-127 B: 91-337 C
E: 91-3779 F: 91-3780 G
Purchase price payable in l:

to tender to the Trustee a nonrefundal
sale. The highest bidder tender the b
Check or Bank to Bank Wire. Truste
forfeiture of the nonrefundable \$5,000
Dated this 06 July 2000.

Published in the Emery C

Co-Op Mining Company
its intent to renew its coal mine and re
Mine, Permit No. ACT/015/025, iss
Canyon, approximately 12 road mil
USGS Hiawatha Quadrangle map, i
1/4 SW1/4, SE1/4, Sec. 14, E1/2, I
25 West of N-S Fault, NE1/4 NE1/4,
topsoil storage area, sec 26, as sh
comments, objections, or requests f
of Oil, Gas & Mining, 1594 West N
Utah, 84114-5801. Copies of the rer
of the Utah Division of Oil, Gas & Mi
Emery County Courthouse, Castle
Published in the Emery

Co-Op Mining Compar
phases of reclamation at the Trail
approved reclamation plan.

In accordance with the
public that Co-Op Mining Company
posted for this operation, present

The Trail Canyon Mine
Huntington, Utah. The permit area
Plate 2-1 of the Mine Reclamation

Township 16 South, f
W1/2 NW
E1/2 NE1
Portion of
SW1/4, S

The total area affecte
Phase II Bond releas
Written comments, ol
to the Utah Division of Oil, Gas &
Salt Lake City, Utah, 84114-58
inspection at the office of the Ut
County Recorder's office, Emer
Published in the Em



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

August 31, 2000

TO: Internal File

FROM: Susan M. White, Acting Permit Supervisor *SMW*

RE: Compliance Review for Section 510 (c) Findings, PacifiCorp, Des-Bee-Dove Mine, ACT/015/019

As of the writing of this memo, there are no NOV's or CO's which are not corrected or in the process of being corrected. There are no finalized Civil Penalties which are outstanding and overdue in the name of PacifiCorp. PacifiCorp does not have a demonstrated pattern of willful violations, nor have they been subject to any bond forfeitures for any operation in the state of Utah.

The Applicant Violator System (AVS) was verified for this permit renewal.

P:\GROUPS\COAL\WP\015017.DBD\FINAL\PERMIT\AVSMEMO.WPD

AMS320 | avsdg.osmre.gov - 1 |

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Application Evaluation Report Applicant Violator System 31-Aug-2000 14:21:10

State : UT Permit No :

Appl No : ACT015017

Permittee :

Seqno : 3

Applicant : 108521(PACIFICORP)

OSMRE: Comments/Analysis: Date : 31-Aug-2000 Mode : VIEW

The audit violations under UU permits 0014783 and 0016483 are under a payment plan with OSM. The remaining KY violations are under Island Creek settlement. Linking entity is Dan Baker, a connonn officer, au

SRA: Comments/Analysis: Date : 31-Aug-2000 Mode : UPDATE

SAVE(F5)

DELETE(F8)

PRU_SCR(F3)

QUIT(F4)

CHOICES(F10)

CMD KER DDE WINSOCK Node Connected

CLR ↑

UT220

80

ONLINE

18

35

Hold

Start

Novell...

Group...

Corel...

Docum...

MS32...

2:18 PM